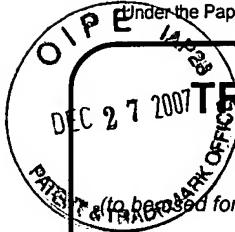


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Approved for use through 7/31/2006. OMB 0651-0031

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# TRANSMITTAL FORM

Total Number of Pages in This Submission

Application Number	10/750,314
Filing Date	December 31, 2003
First Named Inventor	JOHRI
Group Art Unit	2146
Examiner Name	Scott M. Sciacca
Total Number of Pages in This Submission	Attorney Docket Number
	ATT/2002-0400

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s) One (1) sheet Replacement Drawing	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Kin-Wah Tong, Reg. No. 39,400

Signature

Date

December 20, 2007

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Kin-Wah Tong

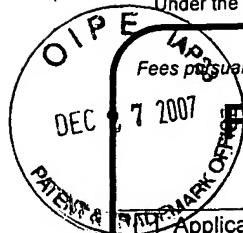
Signature

Date

December 20, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# 40 FEE TRANSMITTAL for FY 2007

Applicant claims small entity status. See 37 CFR 1.27

		Complete if Known	
Application Number		10/750,314	
Filing Date		December 31, 2003	
First Named Inventor		Johri	
Examiner Name		Scott Sciacca	
Art Unit		2146	
Attorney Docket No.		ATT/2002-0400	

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify) :

Deposit Account Deposit Account Number: 20-0782 Deposit Account Name: Patterson & Sheridan

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

Under 37 CFR 1.16 and 1.17  
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee(\$)	Fee Paid (\$)	Small Entity
- or HP=	0	x 50	=	Fee (\$)
				50 25
				200 100
				360 180

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee(\$)	Fee Paid (\$)
5 - 3 or HP=	2	x 210	= \$420

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) :

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	39,400	Telephone	(732) 530-9404
Name (Print/Type)	KIN-WAH TONG			Date	December 20, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PATENT

Atty. Dkt. No. ATT 2002-0400

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

~~TRADE MARK~~  
In re Application of:  
Pravin K. Johri

Serial No.: 10/750,314

**Confirmation No.: 1703**

Filed: December 31, 2003

**For:**      **METHOD FOR CAPACITY  
PLANNING WITH  
PROPER ACCOUNTING  
OF SPARE CAPACITY**

**MAIL STOP AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Group Art Unit: 2146  
Examiner: Sciacca, Scott M

**CERTIFICATE OF TRANSMISSION**

37 CFR 1.8

I hereby certify that this correspondence is being transmitted by First Class Mail to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 20, 2007.

December 20, 2007  
Date

Signature

Dear Sir:

**RESPONSE TO OFFICE ACTION DATED SEPTEMBER 20, 2007**

In response to the Office Action dated September 20, 2007, having a shortened statutory period for response set to expire on December 20, 2007, please enter this response and reconsider the claims pending in the application for reasons discussed below. The Applicant believes that additional independent claims fees are due in connection with this response. The Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/ATT/2002-0400 for the additional independent claims fees and any additional fees, including extension of time or excess claim fees, that may be required to make this response timely and acceptable to the Office.

12/28/2007 HDESTA01 00000016 200782 10750314

01 EC-1201 420-00 DE